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Counsel for Defendant, Kraft Foods Group, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

YURI OSBORNE, on behalf of himself and all others similarly situated,

Case No.: 3:15-cv-2653-VC

**STIPULATION AND [PROPOSED]
ORDER TO EXTEND BRIEFING
DEADLINES AND HEARING DATE FOR
DEFENDANT'S MOTION TO DISMISS**

CLASS ACTION

Hearing Date: September 24, 2015

Hearing Time: 10:00 am

Courtroom: 4

Judge: Hon. Judge Vincent Chhabria

Defendant

1 WHEREAS, pursuant to Civil L.R. 6-2, Plaintiff, Yuri Osborne (“Plaintiff”), individually
 2 and on behalf of all others similarly situated, with Defendant, Kraft Foods Group, Inc.
 3 (“Defendant”) (together, the “Parties”), by and through their undersigned counsel, hereby stipulate
 4 as follows, subject to a Court Order approving the Stipulation;

5 WHEREAS, on August 12, 2015 Defendant filed a Motion to Dismiss Plaintiff’s Complaint
 6 (Doc. No. 15) (“Motion”), which is currently pending and set for hearing on September 24, 2015,
 7 before this Honorable Court;

8 WHEREAS, Plaintiff’s deadline to file its Response to Defendant’s Motion (“Response”) is
 9 currently set for August 26, 2015;

10 WHEREAS, Defendant’s deadline to file its Reply in support of its Motion (“Reply”) is
 11 currently set for September 2, 2015;

12 WHEREAS, the Parties have agreed to a 3-week extension for Plaintiff to file its Response
 13 and for Defendant to file its Reply, and further agree to a 3-week continuance of the hearing
 14 currently set for Defendant’s Motion;

15 WHEREAS, the Parties have agreed to extend Plaintiff’s deadline to file its Response to
 16 September 16, 2015;

17 WHEREAS, the Parties have agreed to extend Defendant’s deadline to file its Reply to
 18 September 23, 2015;

19 WHEREAS, the Parties have agreed to continue the hearing on Defendant’s Motion to
 20 October 15, 2015;

21 WHEREAS, good cause exists for the extensions because Plaintiff and Defendant require
 22 additional time to properly respond and reply, respectively, regarding Defendant’s Motion, and the
 23 Plaintiff and Defendant have agreed to the stipulated extensions;

24 THEREFORE, IT IS HEREBY STIPULATED, pursuant to Civil L.R. 6-2, that:

25 (1) Plaintiff has until September 16, 2015, to file a Response to Defendant’s Motion;
 26 (2) Defendant has until September 23, 2015, to file its Reply to Defendant’s Motion;
 27 (3) The hearing on Defendant’s Motion should be continued to October 15, 2015;

1 **IT IS SO STIPULATED AND AGREED.**

2 **Respectfully submitted,**

3 Dated: August 20, 2015

4 By: /s/ Benjamin M. Lopatin
5 Benjamin M. Lopatin, Esq.
6 Cal. Bar No.: 281730
7 **EGGNATZ, LOPATIN & PASCUCCI, LLP**
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13 *Counsel for Plaintiff Yuri Osborne
14 and the Proposed Class*

15 -and-

16 Dated: August 20, 2015

17 By: /s/ Kenneth K. Lee
18 Kenneth K. Lee, Esq. (SBN: 264296)
19 klee@jenner.com
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21 633 West 5th St., Suite 3600
22 Los Angeles, CA 90071-2054
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24 Fax: (213) 239-5162

25 *Counsel for Defendant, Kraft Foods Group, Inc.*

26 **ATTESTATION**

27 I hereby attest that I have on file written authorization for any signatures indicated by a
28 “conformed” signature (/s/) in this e-filed document.

29 /s/ Benjamin M. Lopatin
30 Benjamin M. Lopatin

31 **CERTIFICATE OF SERVICE**

32 The undersigned certifies that on August 20, 2015, the foregoing was electronically filed
33 with the Clerk of the Court using the CM/ECF system, which will send copies to all counsel of
34 record.

35 /s/ Benjamin M. Lopatin
36 Benjamin M. Lopatin

1 **[PROPOSED] ORDER**
2

3 Pursuant to the foregoing stipulation, it is so ordered.
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5 Dated: August 21, 2015

6 
7 The Honorable Vincent Chhabria
8 United States District Court Judge
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